

SUMMARY OF SIGNIFICANT CHANGES IN CLASSIFICATION PROCEDURES
UNDER EXECUTIVE ORDER 12065

(Auditorium)

1. Two-step process to classifying

Under the new executive order, there are two tests which information must meet before it may be classified. First, the information must fall within one or more of the classification criteria listed in the Order (as subcategorized in paragraph 9 of [redacted]). Second, even though information does concern one or more of the criteria, it may not be classified unless an official with original classification authority also determines that the unauthorized disclosure of the information would cause at least identifiable damage to the national security. (The Order states that the unauthorized disclosure of foreign government information or the identity of a confidential foreign source is presumed to cause at least identifiable damage to the national security.)

2. Duration of classification

It is mandatory to identify a specific date or event that classified information should be automatically declassified or reviewed for declassification. The Order prescribes six years or less as the standard duration of classification. Only officials with Top Secret classification authority may classify information for more than six years, not to exceed 20 years before declassification or review (or 30 years for foreign government information). If information is classified for longer than six years, the reason for the extended period of classification must be stated by citing the appropriate subparagraph of [redacted] paragraph 3d, which lists the various reasons information may require classification beyond six years. (There is no need to cite a reason when using a classification guide or a source document as the basis for classification since the reason for the extended classification will be contained in the guide or source document.)

3. Two types of classification actions

a. Original classification means an initial determination that information requires protection against unauthorized disclosure in the interest of national security, and a designation of the level and duration of classification.

b. Derivative classification means a determination that information is in substance the same as information that is currently classified, and a designation of the predetermined level and duration of classification. Derivative classification can be broken down into two categories:

(1) classification of information as prescribed by a source document (by quoting, restating, summarizing, extracting from, or paraphrasing).

(2) classification of information as directed by an approved classification guide. Classification guides will be based on the classification criteria of [redacted] paragraph 9, and will specify the information subject to classification, the classification level, the duration of classification, and, where applicable, justification for any extension of classification beyond six years. The use of classification guides will facilitate proper and uniform classification actions throughout the Agency.

4. Two types of classification authority paragraph 6)

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a. Derivative classification authority shall be delegated in writing only to officials having frequent need to exercise such authority. Personnel delegated derivative classification authority may only classify information based on a source document or as directed by a classification guide, except than until 1 April 1979 only officials with original classification authority are authorized to classify information.

b. Original classification authority shall be delegated in writing only to officials having frequent need to exercise such authority. Personnel delegated original classification authority may also classify information derivatively, and they shall exercise their original classification authority only if the information to be classified is not covered by a classification guide or drawn from a source document.

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5. New Markings paragraph 12)

a. Portion marking - The new Executive Order makes it mandatory that each classified document indicate which of its paragraphs or other portions, including subjects and titles, are classified and which are unclassified. The symbol "(TS)" for Top Secret, "(S)" for Secret, "(C)" for Confidential, or "(U)" for Unclassified is to be placed immediately following the portion of text to which it applies.

The IS00 implementing directive provides that if individual portion marking is impracticable the document must contain a description sufficient to identify the information that is classified and the level of its classification. This alternative method of portion marking can be accomplished by including a statement as the last paragraph of the document or as a footnote, e.g., "Paragraphs 1, 2, and 4 are Secret, all other portions Unclassified", or if the entire document is classified at the same level, "All portions of this document are (Classification)".

b. Original classification - The following classification authority and duration marking will be shown on the face of all paper copies of originally classified documents to indicate:

- (1) the identity of the original classifier.
- (2) the date the information should be automatically declassified or reviewed for declassification.
- (3) the identity of the Top Secret classifier authorizing classification beyond six years, if applicable.
- (4) the reason the information must remain classified beyond six years, if applicable, by citing the appropriate subparagraph of paragraph 3d.

ORIGINAL CLBY _____ (1)
☐ DECL ☐ REVW ON _____ (2)
EXT BYND 6 YRS BY _____ (3)
REASON _____ (4)

c. Derivative classification - The following classification authority and duration marking will be shown on the face of all paper copies of derivatively classified documents to indicate:

- (1) the identity of the derivative classifier.
- (2) the date the information should be automatically declassified or reviewed for declassification.
- (3) the citation of the source document or classification guide from which the classification was derived.

DERIVATIVE CL BY _____ (1)
☐ DECL ☐ REVW ON _____ (2)
DERIVED FROM _____ (3)
